

Town Board Minutes

March 13, 2006

Meeting No. 7

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 13th day of March 2006 at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
ROBERT LABENSKI, TOWN ENGINEER
RICHARD SHERWOOD, TOWN ATTORNEY
LEONARD CAMPISANO, ASSISTANT BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
TERRENCE McCracken, GENERAL CREW CHIEF

EXECUTIVE SESSION:

UPON MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER STEMPIAK, to deliberate in Executive Session for the announced purpose of discussing a particular personnel matter, a contractual matter and a homeland security matter which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

At 10:00 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matter:

- Depew Branch Public Library building

Fronczak, Mike, 3 Woodstream, spoke to the Town Board on the following matters:

- truss constructed buildings
- Nicholas Heights Subdivision

Schneppenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Minutes of Town Board Meeting held February 27, 2006
- United States Presidents

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board held
February 27, 2006 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 13, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated
February 21, 2006, has requested the addition of a member to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms
the addition to the membership of the Town Line Volunteer Fire Department the following
individual:

ADDITION:

Timothy Bull
59 McNaughton Avenue
Cheektowaga, New York 14225

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 13, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER AMATURA, TO WIT:

WHEREAS, Forbes Homes, Inc., 2635 Millersport Hwy, Getzville, New York,
has applied to the Town Board of the Town of Lancaster for a permit to construct a Public
Improvement upon real property in the Town of Lancaster within Country Club Gardens
Subdivision, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified
on the following permit application that he has reviewed the improvement plans and permit
application for the installation of the public improvement requested, and that it conforms to the
Ordinances of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application No.611 of Forbes
Homes, Inc. 2635 Millersport Hwy, Getzville, New York, for the installation of:

P.I.P. No. 611
(Street Lights)

Installation of fifteen (15) street lights in Country
Club Gardens Subdivision

be and is hereby approved and the installation of the improvement requested be and is hereby
authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 13, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ITS ADOPTION, SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:

WHEREAS, the Supervisor has requested the creation of one (1) position
of Assessment Clerk in the Town of Lancaster, to be placed in the Assessor’s Office, and

WHEREAS, the creation of this position only changes a title and does not
add an additional employee in the Assessor’s Office.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is
hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) to create
one (1) position of Assessment Clerk in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 13, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Building Inspector of the Town of Lancaster has notified the Town Board that §382-a Executive Law of the State of New York directs local municipalities to enforce Title 19 Codes, Rules and Regulations, Section 1264.2 regarding truss type construction for a new building or any addition increasing the floor area of an existing building; and

WHEREAS, the New York Codes, Rules and Regulations (NYCRR) require that a sign be erected on such construction so identifying it and further provides that the municipality may collect a fee of \$50 plus the cost of the sign, and

WHEREAS, the Town Board desires to be in conformance with Title 19, Section 1264.2, Codes, Rules and Regulations of the State of New York relating to enforcement of building inspection, and

WHEREAS, the Town Board of the Town of Lancaster deems it appropriate to cause a revision to the permit fee section of the Town Code to provide for a permit fee where truss construction is used as aforescribed;.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby resolves to amend the building permit fee section of the Town Code, Section 30-4, Building Permit Fees for nonresidential construction as follows:

D. Truss type construction for new buildings or additions to buildings where additional floor space is added: a fee of \$50 plus the cost of the required sign to be placed on premises identifying this type of construction.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 13, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Country Club Gardens Subdivision within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvements and has recommended the approval thereof, and

WHEREAS, the Town Attorney, by letter to the Town Clerk dated March 10, 2006, has reported his favorable review for the acceptance of these public improvements.

NOW, THEREFORE, BE IT

RESOLVED, that, with the following conditions, completed Public Improvements No. 602 - Pavement & Curb, No. 604 - Storm Sewer and No. 605 - Water Line within Country Club Gardens Subdivision, be and are hereby approved and accepted by the Town Board of the Town of Lancaster:

1. Remove a tree which is situate on the developer’s property in the area of the ditch which is to be addressed in condition 2.
2. The developer must install at least three yard drains along the west property line that runs between manhole 16 and the structure.
3. The developer to fill and grade the existing swale and blend it into the Smith parcel and bring the grade elevation over the revised structure top on the manhole.
4. The developer to clean the roads as soon as weather permits.
5. The developer to replace the existing structure top on the manhole with a new top that has the manhole frame and grade cast into it thereby creating a flush top and this area would then be graded over as recited in condition 3.

and,

BE IT FURTHER

RESOLVED, that the Town Attorney is directed to attend to filing the deed causing the dedication of the road(s) to the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Superintendent of Highways of the Town of Lancaster by letter dated March 7, 2006, has advised the Town Board that the Highway Department will purchase a new 2006 Ford F-250 XL Super Duty Reg Cab/Long Box 4 X 4 Pickup Truck for use in his department, and

WHEREAS, this truck is available as a vehicle on a New York State bid which eliminates the requirement for competitive bidding by the Town of Lancaster under the General Municipal Law §103, and

WHEREAS, after due review and consideration the Town Board deems it in the public interest to approve the purchase of said truck;

NOW THEREFORE, BE IT

RESOLVED, as follows:

6. The Town Board of the Town of Lancaster hereby approves the purchase of a new 2006 Ford F-250 XL Super Duty Reg Cab/Long Box 4 X 4 Pickup Truck as proposed by the Superintendent of Highways of the Town of Lancaster in the sum not to exceed \$17,471.10, which sum shall be paid with funds available in the 2006 Highway Department budget.

2. This equipment shall be purchased from State bid without the need for competitive bidding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 13, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town of Lancaster has secured a, “Secure Our Schools (SOS)” grant from the U.S. Department of Justice, Office of Justice Programs (OJP) for the purpose of purchasing video security cameras for the Lancaster Central High School, 1 Forton Drive, Lancaster, New York, and

WHEREAS, the Town of Lancaster provides a School Resource Officer on permanent assignment to the Lancaster Central School District and the said security system camera compliments the beforementioned assignment of the School Resource Officer, and

WHEREAS, the Town Board deems it in the public interest to enter into an agreement with the Lancaster Central School District for purposes of setting forth the terms and conditions of the payment of the matching funds by the School District to the Town for the video security camera system which is to be purchased by public bid with the grant funds providing one half of the cost and the School District then paying the balance of one-half of the funds to the Town;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute an agreement with Lancaster Central School District which sets forth the terms and conditions of the purchase of the video security camera system for use by the Lancaster Central School District and the application of the grant funds and matching funds.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOR, TO WIT:

WHEREAS, DESIGN WORKS, LLC, 3284 Walden Avenue, Depew, New York 14043, the owner of a parcel of land located on the north side of Broadway, SBL 105.17.1.1, in the Town of Lancaster, New York, has petitioned the Town Board of the said Town for the rezone of said property, the first 300' of property which is Residential Commercial Office (RCO) and the remainder of the property which is Residential District One (R-1) to Multi-Family District Three (MFR3), and

WHEREAS, the Petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York a Public Hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3rd day of April, 2006, at 8:30 o'clock P.M., Local Time, and that Notice of the Time and Place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town on March 16, 2006 and be posted on the Town Bulletin Board, and that Notice of such Hearing be referred to the Erie County Department of Planning, pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 13, 2006

**LEGAL NOTICE
PUBLIC HEARING
PROPERTY ON THE NORTH SIDE OF BROADWAY
SBL 105.17.1.1
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN, that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on March 13, 2006, the said Town Board will hold a Public Hearing on the 3rd day of April, 2006 at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property, being the first 300' of property which is Residential Commercial Office (RCO) and the remainder of the property which is Residential District One (R-1) to Multi-Family District Three (MFR3), and:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 7, Section 7, Township 11, Range 6 of the Holland Land Company's Survey bounded and described as follows:

BEGINNING at the southwesterly corner of lands described in Liber 8621 of Deeds at page 288, also being the point of intersection of the westerly line of Lot 7 and the centerline of Broadway (formerly Cayuga Creek Road);

THENCE southeasterly along said centerline of Broadway, a distance of 110.85 feet to a point;

THENCE northeasterly in a line parallel with the easterly line of lands conveyed by deed recorded in Liber 8621 of Deeds at page 288, a distance of 555.5 feet +/- to a point on the centerline of Plum Bottom Creek;

THENCE westerly along the centerline of Plum Bottom Creek, approximately 253 feet +/- to a point on the westerly line of Lot 7;

THENCE southerly along the westerly line of Lot 7, a distance of 553.5 feet +/- to the point of place of beginning.

EXCEPTING therefrom lands lying within the bounds of Broadway and also excepting lands appropriated by the State of New York for highway purposes by Notice of Appropriation recorded in Liber 5940 on Deeds at Page 475.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: JOHANNA M. COLEMAN
Town Clerk

March 13, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to make certain amendments to the Town Ordinance entitled: VEHICLE AND TRAFFIC ORDINANCE OF THE TOWN OF LANCASTER, COUNTY OF ERIE, STATE OF NEW YORK, designated as Chapter 46 of the Code of the Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on proposed amendments to the Vehicle and Traffic Ordinance, Chapter 46 of the Code of the Town of Lancaster, County of Erie and State of New York, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3rd day of April, 2006, at 8:35 o'clock P.M., Local Time and that Notice of the Time and Place of such hearing be published on or before March 16th, in the Lancaster Bee, the Official Newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 13, 2006

**LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER**

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 13th day of March, 2006, the said Town Board will hold a Public Hearing on the 3rd day of April, 2006 at 8:35 o'clock P.M., Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all persons upon the following amendment to the Vehicle and Traffic Ordinance of the Town of Lancaster, Erie County, New York, designated as Chapter 46 of the Code of the said Town:

**CHAPTER 46
ARTICLE X -Parking, Standing and Stopping.**

§46-10. Application of Article.

.....

C. Shall be amended by adding thereto, the following:

§46.10

C.

**“(3) Regal Cinema Theater parking lot at 6707
Transit Road.**

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE
TOWN OF LANCASTER**

**By: JOHANNA M. COLEMAN
Town Clerk**

March 13, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town of Lancaster has experienced the loss of two vans
dedicated to use for transportation for senior citizens in the Town of Lancaster, and

WHEREAS, the County of Erie has been made aware of this loss and will
provide by contract amendment with the Town a van to use on a temporary basis until such time
as the Town can replace the Town owned van, and

WHEREAS, the Town Board deems it in the public interest to authorize the
Supervisor to execute the amended agreement so that there can be full van service available for
senior citizens;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes
the Supervisor of the Town of Lancaster to execute an agreement with the County of Erie to
provide for a temporary resolution as aforescribed for the purpose of continuing regular van
service for senior citizens in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on
roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 13, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER MONTOUR, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from
their respective accounts as per abstract to be filed in the Office of the Town Clerk by the Director
of Administration and Finance, to wit:

Claim No. 1123 to Claim No. 1373 Inclusive

Total amount hereby authorized to be paid: \$394,849.29

The question of the foregoing resolution was duly put to a vote on roll call which
resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 13, 2006

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

13481	SignARama	470 Aurora St	Er. Sign-Wall
13482	Tim Horton's	6687 Transit Rd	Er. Sign-Temp
13483	Advision Inc	4909 Transit Rd	Er. Sign
13484	J & J Commercial	16 Kelly Ann Dr	Er. Res. Add.
13485	Advision Inc	4909 Transit Rd	Er. Sign-Wall
13486	Ulrich Sign Co	4304 Walden Ave	Er. Sign-Wall
13487	Steger, Scott	6101 Broadway	Er. Fireplace
13488	D'Andrea, Dennis	6218 Broadway	Dem. Dwlg.
13489	Kodiak Builders Inc	490 Lake Ave	Er. Res. Add.
13490	Tucker Homes	15 Beatrix Cir	Er. Dwlg.-Sin.
13491	Garland Graphics	2 Benzel Ct	Er. Sign
13492	Colley's Pool Sales Inc	90 Kennedy Ct	Er. Pool-In Grnd

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

March 13, 2006

COMMUNICATIONS & REPORTS:

96. Erie County Department of Public Works to Town Attorney -
Notification of Lead Agency Designation regarding Pleasant Meadows Subdivision III;
comments noted. DISPOSITION = Received & Filed
97. NYS DEC to Town Attorney -
Notification of Lead Agency Designation regarding Pleasant Meadows Subdivision III;
comments noted. DISPOSITION = Received & Filed
98. Executive Director, Southeast Works to Supervisor -
Letter regarding possible sale of Depew Library to Southeast Works. DISPOSITION =
Town Board
99. Erie County Department of Personnel to Supervisor -
Letter regarding Residency Law and Civil Service candidacy lists. DISPOSITION = Town
Board
100. Bella Vista to Supervisor -
Letter regarding cellular lease agreements. DISPOSITION = Town Board
101. Landmark Society of the Niagara Frontier to Supervisor -
Letter of appreciation for financial assistance and support for Hull House restoration.
DISPOSITION = Town Board
102. NYS Senator Dale M. Volker to Supervisor -
Acknowledgment of request for legislative initiative grant for debris clean up of Ellicott
Creek. DISPOSITION = Received & Filed
103. Duplicate
104. Town Clerk to Various News Media -
Notice of rescheduled meeting of the Town Board from March 6, 2006 to March 13, 2006.
DISPOSITION = Received & Filed
105. Greater Buffalo-Niagara Regional Transportation Council to Town Board -
Letter and report regarding Demographic Forecasts for the year 2030. DISPOSITION =
Received & Filed
- 106 - 139. Concerned Residents to Planning Board Chairman -
Concerns and comments regarding rezone petition for 5666 Broadway.
DISPOSITION = Received & Filed
140. Niagara Frontier Transportation Authority to Supervisor -
Notification of updated work schedule for Buffalo Niagara International Airport runway
rehabilitation project. DISPOSITION = Received & Filed
141. Town Clerk to Town Board -
Transmittal of first settlement for 2006 County/Town Tax Warrant. DISPOSITION =
Received & Filed
142. Supervisor to Erie County Deputy Commissioner - Real Property -
Request for extension of time to collect unpaid taxes to June, 30, 2006.
DISPOSITION = Received & Filed
143. Rebecca Baynes to Supervisor -
Letter urging franchise for Verizon fiber optic program. DISPOSITION = Town
Attorney
144. NYS Assembly Member Paul A. Tokasz to Supervisor -
Explanation of Governor's Budget Proposal for municipal government Sharing Services
Programs. DISPOSITION = Received & Filed
145. Town Clerk to Town Board -
Transmittal of monthly report for February 2006. DISPOSITION = Received & Filed

146. Erie County Department Sewerage Management to Town Attorney -
Comments regarding proposed Condominium Units on Broadway. DISPOSITION = Planning Committee
147. General Crew Chief to Planning Board, Council Members Montour, Ruffino, & Stempniak -
Notice of approval from Town Forestry Department regarding proposed addition Greenfield Manor, 5953 Broadway. DISPOSITION = Planning Committee
148. NYS DOT to Town Attorney -
Notification of Lead Agency Designation regarding Pleasant Meadows Subdivision III. DISPOSITION = Planning Committee
149. NYS Assembly Member Paul A. Tokasz to Supervisor, Town Board -
Letter regarding Town resolution requesting legislation to accept partial payment of taxes. DISPOSITION = Received & Filed
150. Town Attorney to Town Board -
Notice of SEQR meeting to be held Monday, March 13, 2006, 6:30 PM regarding Pleasant Meadows Subdivision III Lots 1-9, Nicholas Heights Subdivision, Larkspur East Patio Homes. DISPOSITION = Received & Filed
151. Town Clerk to Various News Media -
Notice of SEQR meeting to be held Monday, March 13, 2006, 6:30 PM regarding Pleasant Meadows Subdivision III Lots 1-9, Nicholas Heights Subdivision, Larkspur East Patio Homes. DISPOSITION = Received & Filed
152. Highway Superintendent to Town Board -
Request for resolution to purchase vehicle off State Contract through Motor Fleet. DISPOSITION = Resolution 3/13/06
153. Erie County Department of Sewerage Management to Town Attorney -
Comments regarding proposed Dunkin' Donuts, Transit Road & Flix Drive. DISPOSITION = Received & Filed
154. Erie County Department of Public Works to Town Attorney -
Notification of Lead Agency Designation regarding proposed Dunkin' Donuts, Transit Road & Flix Drive; comments noted. DISPOSITION = Received & Filed
155. NYS Office of the State Comptroller to Town Clerk -
Transmittal of report entitled "Industrial Development Agency - Payment In Lieu Of Taxes Billing Accuracy". DISPOSITION = Received & Filed
156. NYS Office of the State Comptroller to Supervisor, Town Board -
Transmittal of findings and recommendations regarding audit of Town IDA PILOT agreements. DISPOSITION = Received & Filed
157. Town of Amherst to Town Board -
Notification of proposed changes to Draft Town of Amherst Zoning Code Amendments. DISPOSITION = Received & Filed
158. Erie County Department of Senior Services to Supervisor -
Notification that CMS Medicare Part D Bus will be at Cheektowaga Senior Center, Thursday, March 16, 2006 from 1:30 PM to 4:30 PM and Lancaster Senior Center, Friday, March 17, 2006 from 9:00 AM to 12:00 PM. DISPOSITION = Received & Filed
159. Planning Board Chairman to Planning Board, Town Board, Town Engineer, Deputy Town Attorney, Highway Superintendent, Building Inspector -
Draft copy of minutes of meeting held March 1, 2006. DISPOSITION = Received & Filed
160. Planning Board to Town Board -
Recommendation to deny rezone regarding proposed four Multi-Unit Condominiums, comments noted. DISPOSITION = Received & Filed

- 161. Planning Board to Town Board -
Recommend approval of Site Plan for Dunkin Donuts Retail Center, S.E. corner Transit Road and Flix Drive; conditions noted. DISPOSITION = Received & Filed
- 162. Planning Board to Town Board -
Recommend approval of Preliminary Plat Plan (Amended) for Nicholas Heights Subdivision; conditions noted. DISPOSITION = Received & Filed
- 163. Northwood Village Association, Inc. to Town Clerk -
Request for no parking on Transit Boulevard. DISPOSITION = Town Attorney
- 164. Roy Schneggenburger to Planning Board Chairman -
Comments regarding agenda of the Planning Board Meetings. DISPOSITION = Received & Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER MONTOUR, SECONDED BY COUNCIL MEMBERSTEMPNIAK AND CARRIED, the meeting was adjourned at 10:00 P.M. in memory of Louis Natalzia, New York State Assemblyman Sandra Lee Wirth and John Donogher.

Signed _____
Johanna M. Coleman, Town Clerk